



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

which cannot be cut down by a subsequent clause directing the disposition of any remainder which may be undisposed of at the death of the devisee.

Under a bequest to one or more persons living, and to the children of another who is dead, it is held, in *Collins v. Feather* (W. Va.) 61 L. R. A. 660, that the legatees will take *per capita* unless it appears from the context or some clause in the will, or from the circumstances in view of which it was made, that the testator intended a stirpital distribution.

EXECUTIONS—DEATH OF PLAINTIFF.—The death of a plaintiff in execution after execution has been issued and placed in the hands of the levying officer is held, in *Hatcher v. Lord* (Ga.) 61 L. R. A. 353, not to prevent the officer from enforcing the same, nor from making any entries thereon that may be necessary to prevent the dormancy of the judgment, even though there be no legal representative of the estate of plaintiff in execution, and no request be made by anyone interested in the judgment to have such entries made.

The other cases as to effect of death of one of the parties after judgment upon the remedy by execution are discussed in a note to this case.

NATIONAL BANKS—LIABILITY AS PARTNERS.—A national bank, established under the act of congress providing for such banks, can not be a member of a partnership, and can not become liable as partner.

A customer of a national bank being largely indebted to the bank, and being in failing circumstances, and being the owner of nine shares in a partnership consisting of forty shares, each evidenced by a certificate transferable on the books of the partnership, transferred his nine shares to the bank to secure payment of his indebtedness, the bank becoming the owner of such shares. *Held*, that such transfer did not in legal effect make said bank a partner, but a part owner in severalty of the property then owned by the partnership, and as such liable for nine-fortieth parts of the debts and expenses incurred in purchasing, holding, handling, managing, improving and disposing of said property. *Merchants National Bank v. Wehrman* (Ohio), 68 N. E. 1004.

FEDERAL PRACTICE—AMICUS CURIAE—LEAVE TO FILE BRIEFS.—Leave to file briefs in a pending case as *amicus curiae* will be denied where it does not appear that the applicant is interested in any other case which will be affected by the decision, and the parties are represented by competent counsel, whose consent has not been secured. *Northern Securities Co. v. U. S.*, 24 Sup. Ct. 119.

The Chief Justice:

"In support of this motion certain letters were presented showing that request was made of counsel for the respective parties for their consent to the application, and that they withheld direct consent, leaving the matter entirely to the court to determine. When the motion was submitted, objection to the granting of leave was made by counsel for appellees.

"Where, in a pending case, application to file briefs is made by counsel not employed therein, but interested in some other pending case involving sim-